

PETITION
OF
THE CITIZENS
OF THE COUNTIES
OF LAWRENCE AND FRANKLIN,
IN THE
STATE OF ALABAMA.

JANUARY 8, 1821.

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1821.

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To the Honorable the Senate and House of Representatives of the United States in Congress assembled.

The Petition of the Citizens of the Counties of Lawrence and Franklin, in the State of Alabama,

RESPECTFULLY REPRESENTS:

That they became purchasers of lands in said counties, at the public sales which were held in Huntsville, in the year 1818.

That, from a variety of causes, and considerations, they were induced to bid prices, which, owing to a sudden and unexpected change in the circumstances of the country, and the embarrassments to which they have thereby been subjected, they never will be able to pay.

Among the causes which contributed, in a great measure, to involve your petitioners in difficulties, and to produce their present state of embarrassment, they beg leave to enumerate the following:

In the first place: not long anterior to said sales, the Mississippi stock had been brought into market, and became a subject of speculation: and being receivable in payment for lands, in this section of country, at its nominal value, great quantities of it were purchased by speculators at a large discount, (say from sixty to seventy per cent.) for the purpose of investing the same in lands.

In the second place, shortly before said sales, a great number of Banks were established in the States of Kentucky, and Tennessee, the notes of all which were then receivable in the Land Office. Those State institutions, desirous to get their notes into circulation, afforded great facility to such as wished to obtain money on loan, or otherwise, to come into the market, and become adventurers at the sales.

These facilities furnished, in part, the means to a rapacious horde of speculators, (who seemed disposed to monopolize the whole country, for the purpose of retailing it out again, upon their own terms, to those who were desirous to become permanent settlers therein) of outbidding people who attended the sales to purchase lands for settlement.

The speculators seemed determined to break down all opposition, by running the land up to extravagant prices, on those who were attending the sales to purchase for actual settlement; with intent, as is believed, thereby the more speedily to exhaust their resources, and put them out of the market with as little land as possible. By this means, the fair purchaser for settlement, who came to market with good money, (not scrip, or paper of insolvent banks,) was soon stripped of his resources, and sent out with a small portion of land at an extravagant price.

The excitement occasioned by considerations of this nature, as well as the infatuating prospect of a continuance of great and extravagant prices for cotton, caused, as your petitioners verily believe, the generality of purchasers to bid four times, and, in some instan-

ces, individuals to bid ten times, the real value of the land in its natural state. As an evidence of this, many persons who, when examining the country before the sales, and fixing an estimate upon the land according to its quality and situation; and who, when acting coolly and deliberately, had valued lands at from two to five dollars per acre, have, at the sales, owing to the excitement produced at that time, and the impulse of the moment, purchased the same lands at from 15 to 20, and 30 dollars per acre.

Your petitioners verily believe that many purchasers, who were, in this way, compelled to exhaust their whole pecuniary resources, in paying the first instalment, on a small tract of land, calculated on, possibly, making the subsequent instalments, provided the productions of the country should continue to command as high prices as they then did; and, provided the notes of the aforesaid banks should continue to be received in the Land Office, (which notes still constitute the circulating medium of this country) without taking into consideration the great embarrassment and expense to be incurred in making a settlement in a wild inhospitable country, where there was a great scarcity of water, and no means of subsistence at hand.

Under these circumstances, have your petitioners become purchasers of lands for settlement, and have actually settled upon them, and are improving and cultivating them. But they are greatly alarmed and discouraged at their situation. They have ascertained, by experience, that it will keep a planter, who settles in this wilderness, busily engaged for one whole year in opening and improving an inconsiderable portion of arable land, and raising a crop for subsistence the ensuing year. This is generally a crop of corn, the land not being suitable for the production of a crop of cotton, until prepared by one year's cultivation. The crop of the second year's cultivation may, possibly, be sufficient to defray the expenses and debts incurred in the first.

Some of your petitioners have raised the second, and some only the first, crop on their land, and the second instalment has become due to government, no part of which they find themselves able to pay. And your petitioners are confident, if the lands which they possess, and have improved, were now exposed to sale, for such money as is receivable in the Land Office, that they would not command the instalment which has already been paid. And they will further remark, without, as they believe, hazarding a contradiction, that had it not been for the Mississippi stock in the hands of speculators, together with the great facility of obtaining money out of the Tennessee and Kentucky banks, and the then great prices of cotton; and had no other kind of money been receivable in the Land Office at sales, than such as now receivable, the aforesaid lands would not have commanded a greater price than the amount of the first instalment; and that a great portion of said lands would not have commanded that amount.

At the time of the sales in 1818, cotton, the staple of this country, commanded from 20 to 25 cents per pound. Now, it is with difficulty

ten cents can be obtained, payable in Tennessee or Kentucky bank notes. And the rate of exchange between the notes of Tennessee, and such as are receivable in the Land Office at Huntsville, has been 17 per cent, lately, with the brokers. Add to this the extensive tracts of land which have recently been purchased from the Indians, lying in the states of Kentucky, Tennessee, and Mississippi, and the reduction of the minimum price now brought into market by the government. This has a tendency to deteriorate the value of the lands which your petitioners have purchased; so that if they were disposed to sell them, and leave the country, in order to get rid of further difficulties, they verily believe that they could not obtain, in cash, the amount which they have paid for the land, even with the improvements which they have placed thereon.

They state, that, unless they can obtain some relief from your honorable body, in the premises, they will be constrained to submit to a forfeiture of their lands, and the inevitable ruin and distress of their families. But they have the fullest confidence in the justice and forbearance of Congress, and know they have power to grant them the most ample relief; which, they have no doubt, under a full consideration of all the aforesaid circumstances, will be done. They, therefore, pray your honorable body to pass a law, placing them in such situation as they probably would have stood, had the present state of affairs existed at the time in which they purchased their lands.

Permit your petitioners to call your attention to a public sale of the town lots at the Big Spring, in the county of Franklin, which sale took place in the month of October last. This town is important as a commanding situation for commercial business; perhaps equal to any site in the western country. It is generally believed, if a town had been laid off, and lots sold there in the year 1818, that many lots would have commanded from two to three thousand, and some even as high as five thousand dollars. But a reference to the land office records will shew how it has lately sold for cash; many of the lots, not commanding more than Congress price, and the highest very little exceeding \$ 300. Some opinion may also be formed, as to what the sales of the lots at the Big Spring probably would have been in the year 1818, when we refer to sales of lots in the adjacent towns of Florence, Bainbridge, Courtland, &c. Their commercial situation is generally considered not to be superior to that of the Big Spring, and they cannot claim a preference on the score of health.

Your petitioners beg leave further to refer to the sales lately made, at Huntsville, of other lands, to wit, Colbert's reserve, and other places, equal as to fertility, and superior in situation, to the lands of your petitioners, in order to establish the position, that their lands would not command the amount of the first instalment, if exposed to sale for cash, at this time. They respectfully refer the honorable legislature to the records of the land office, for more satisfactory information on this subject.

If your petitioners, and the people of this country, generally, are obliged to forfeit their lands, (and, if they are required to pay the whole

of the purchase money contracted for at the sales, there will be no alternative, but inevitable forfeiture,) they fear it will cause such a scene of misery and distress, as has not been experienced or witnessed in the United States, and produce a crisis to which your petitioners look forward with horror and dismay. Because, they have no doubt, if a forfeiture and resale take place, hordes of speculators will again come forward, with as little feeling as heretofore, to drive your petitioners from the tracts of land which they are now endeavoring to improve, and with such speculators they will not be able to compete in the market.

It is true, it may be objected, that government did not compel your petitioners to enter into improvident and ruinous contracts with it; and that no fraud or deception was practised upon them by its agents, in the sale of said land; but it is equally true, that their situation and pecuniary resources have been materially changed and impaired by circumstances, which, at the time of the sales, they could not anticipate, and which, since that time, have not been subject to their control.

But, when your petitioners consider the benign principles, and humane character of our government; and that one of its great objects is to protect honest and upright citizens against the encroachments and rapine of those who are actuated, in their worldly pursuits, by motives inconsistent with the interests of the mass of the people, and that it is always disposed rather to relieve against, than to produce inconvenience or oppression, to any portion of its citizens; and, also, that one important object of its policy is to promote and encourage the settlement of its great and extensive tracts of waste and uncultivated lands, with a population of enterprising, industrious people, who are zealously attached to the constitution and government, they are encouraged respectfully to approach your honorable body, and ask for that favor and relief which alone can save them from ruin.

They pray that a law may be passed authorizing all persons who purchased lands for actual settlement, and who have settled upon, and improved the whole, or any part of them, to obtain patents therefor, not exceeding a certain quantity, to be ascertained in said law, on paying the additional sum of one dollar and twenty-five cents per acre, at any time within five years from the date of the sales.

Such a measure would be productive of no injustice to government, (if the position assumed above be correct, that the first instalment was an adequate price for the land, and of its correctness they presume there cannot be a doubt,) but will be productive of peace and tranquillity among the citizens of this country, and have a tendency more strongly to unite them, by an inviolable attachment to the government of our common country. And your petitioners will ever pray, &c.

Theo. W. Cockburn.
Lewis Dillahunt.
Daniel W. Taylor.

John Johnson.
Pryor Reynolds.
Wilie J. Croom.

Hugh Dickson.
Joseph Matthews.
Walter Matthews.
Solomon D. Spain.
Edward Pearsall.
Joseph Dickson.
Robert E. Matthews.
John Matthews.
William Montgomery.
Tolbert Johnson.
William C. Ewing.
Ezekiel Bates.
Silas Fugued.
Thomas Hewitt.
Ephraim Fugued.
William Garrett.
Charles Toney.
John L. Viser.
James J. Mayers.
Marshel D. Spain.
Robert Brunson.
Samuel M. Parry.
Henry Davis.

Norman McKay.
Pulaski Dudley.
John Hogun.
Smith Hogun.
James Hogun.
William H. Gardner.
John Davis.
L. J. Gist.
Ephraim Anderson.
Daniel Wright.
Charles Lewis.
Samuel Neelly.
Richard Ellis.
Alexander McCulloch.
Tidence Lane.
Thomas Dillahunty.
William Lutton.
John Lane.
Isaac Lane.
John Cuthbertson.
William Hamilton.
Henry M. Lewis.
B. McKiernan.

